

Appln no. 10/048,043
Amendment dated June 2, 2005
Reply to Office Action of March 9, 2005

REMARKS

With this paper, Applicants have amended claims 1 and 7-9 and canceled claim 5. Claims 1-3, 6-11 and 14-15 are pending. Reconsideration of this application, as amended, is requested.

Claim Rejections

Claims 1-3, 5-11 and 14-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stamm (U.S. Patent No. 5,885,949). Applicants disagree.

Applicants continue to stress that Stamm does not teach or suggest the claimed shape and size of the shaped body of the pending claims. The disclosure of Stamm has been previously discussed, and the following remarks are added thereto.

As before, Applicants acknowledge that Stamm states that the cleaner may be a tablet or a pellet, and that Stamm states, at column 5, lines 36-37, that the tablet may have any suitable size. This would allow a tablet of generally any size, with any dimensions, as long as it is still a tablet.

Stamm only discloses and suggests tablets and pellets. Plus, Applicants contend that a tablet is different from a pellet. As defined by Webster's Ninth New Collegiate Dictionary (1991), a pellet is "a usu. small rounded or spherical body". A tablet is "a small mass of ... material (as in the shape of a disk)". A tablet is different than a pellet. Stamm indicates that a tablet may have any suitable size; this generality cannot be carrier over to a pellet or to any other shape.

The shaped cleaning body of the presently pending claims has a narrow elongate form, either as a cylinder or with an elliptical or rectangular cross-sectional shape. The width of the shaped cleaning body, at its widest point is 1 to 3 cm and the length of the shaped cleaning body is at least 3.2 times its widest width. This narrow elongate form facilitates placing the shaped body into a container, such as a bottle, the narrow form easily fitting through the bottle's neck opening. This narrow elongate form is not a tablet, nor is it a pellet, based on the definitions provided by Webster. Stamm only discloses and suggests using tablets and pellets.

The shaped cleaning body of the presently pending claims has a shape with a length at least 3.2 times its width; such a shape is not a tablet and such a shape is not suggested by Stamm,

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even though Stamm indicates that a tablet may have any suitable size. Shape is not size. Again, a tablet is a small mass of material (as in the shape of a disk). Stamm does not indicate or suggest shapes other than tablets and pellets, and Stamm does not indicate or suggest that a shape other than a tablet could have any suitable size. It would not have been obvious, based on the disclosure of Stamm, which is pellets and tables, for one skilled in the art to arrive at the shape of the shaped cleaning body as defined by the presently pending claims.

Regarding the composition and construction of the shaped cleaning body, the pending claims now recite that the water-soluble polymeric shell consists only of polyvinyl alcohol. Support for this is at page 2, lines 23-24 of the specification, as originally filed.

The Office Action again has taken the stance that Stamm discloses a solid body having a water soluble shell surrounding a solid cleaner, because Stamm teaches mixing the ingredients, including PVA, together before tableting. The Office Action continues that the resulting product would have a water soluble shell surrounding the components. The pending claims have been amended to further clarify that the water soluble shell consists only of PVA. Combining ingredients and then tableting, as done by Stamm, would result in some of all the ingredients being on the outer surface of the tablet. The bodies of the present invention, however, have a mass of cleaning ingredients that are surrounded by the PVA shell. See for example, the Examples of the pending invention, where it is described that ingredients were mixed together to form solid cleaning formulations, and then those formulations were accommodated in water soluble shells.

Applicants contend that the pending claims are allowable over Stamm, at least because Stamm does not teach or suggest a body having the recited shape, nor does Stamm teach or suggest a water-soluble shell consisting of PVC around the solid cleaner mass. Applicants request that the rejection be withdrawn.

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Claims 1-3, 5-11 and 14-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gladfelter et al. (U.S. Patent No. 5,234,615). Applicants disagree.

Applicants continue to stress that Gladfelter et al. do not teach or suggest the claimed shape and size of the shaped cleaning body of the pending claims. The disclosure of Gladfelter et al. has been previously discussed, and the following remarks are added thereto.

Applicants agree that various dimensions and shapes are provided in Gladfelter et al. at column 7, lines 17-27, but these are for the pellet 4, which is the functional material (i.e., the cleaner). It is this pelletized material 4 that is then placed in a flexible water soluble film bag 3 to form article 16.

The overall shape of the resulting product (i.e., article 16) is not a narrow elongate form, either as a cylinder or with an elliptical or rectangular cross-sectional shape, with the appropriate dimensions, as recited by the pending claims. Gladfelter et al. places the pelletized material into a free-form bag, which is generally incapable of holding the recited shape, as is a shell.

The shaped cleaning body of the presently pending claims has a narrow elongate form, either as a cylinder or with an elliptical or rectangular cross-sectional shape. The width of the shaped cleaning body, at its widest point is 1 to 3 cm and the length of the shaped cleaning body is at least 3.2 times its widest width. This narrow elongate form facilitates placing the shaped body into a container, such as a bottle, the narrow form easily fitting through the bottle's neck opening. Gladfelter et al. does not suggest that the overall shape of the product could be as recited by the pending claims, rather, Gladfelter et al. provides various shapes and sizes for the functional material in the bag, not the complete article.

Applicants contend that it would not have been obvious for one skilled in the art to form a narrow elongate form for the total article, having the specific length to width ratio, of the pending claims, from the teachings of Gladfelter et al., which are directed to pellets inside a flexible bag.

Further, Applicants contend that, based on the film water soluble bag of Gladfelter et al., one skilled in the art would not arrive at a shell, as recited in the pending claims. A shell is a hard, rigid, tough outer covering. Gladfelter et al. uses sheets of film, 50 to 90 micrometers

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thick, which are pliable, to make the bags into which the functional composition is placed. A flexible film bag generally does not retain a rigid shell shape. Gladfelter et al. provides descriptions of making the bag by heat sealing two rectangular sheet of film together (column 5, lines 12-15). Such a bag is incapable of forming and retaining the specific shape recited by the pending claims. It would not have been obvious to one skilled in the art to have changed the flexible film bag of Gladfelter et al. to a shell, as is required by the pending claims.

Applicants contend that the pending claims are allowable over Gladfelter et al., at least because Gladfelter et al. do not teach or suggest a narrow elongate shape for the shaped cleaning body, as recited by the pending claims, and the shaped cleaning body having a shell over the solid cleaner mass. Applicants request that the rejection be withdrawn.

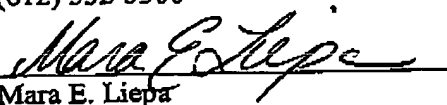
SUMMARY

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

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Mara E. Liepa
Reg. No. 40,066

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